

**IN THE UNITED STATE DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

IRA HOLTZMAN, individually and as the )  
representative of a class of similarly-situated )  
persons, )  
  )  
  )  
Plaintiff, )  
  )  
  )  
v. ) No. 07 C 7279  
  )  
MICHAEL P. CAPLICE d/b/a M. P. ) Judge Manning  
CAPLICE & ASSOCIATES, ) Magistrate Judge Cole  
  )  
  )  
Defendant. )

**NOTICE OF FILING**

TO: Maria Z. Vathis  
Clausen Miller, P.C.  
10 S. LaSalle Street  
Chicago, IL 60603

PLEASE TAKE NOTICE that on January 24, 2008, the undersigned caused to be filed with the Clerk of the United States District Court, Northern District of Illinois, Eastern Division, *Affidavit of Process Server of service of Summons, Complaint, and Motion for Class Certification*, a copy of which is attached hereto and hereby served upon you.

s/Brian J. Wanca

**CERTIFICATE OF SERVICE**

I hereby certify that on January 24, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

s/Brian J. Wanca

Brian J. Wanca  
Ryan M. Kelly  
ANDERSON + WANCA  
3701 Algonquin Road, Suite 760  
Rolling Meadows, IL 60008  
Telephone: 847/368-1500

Phillip A. Bock  
DIAB & BOCK, LLC  
134 N. LaSalle Street, Suite 1000  
Chicago, IL 60602  
Telephone: 312/578-0767

2120 - Served  
 2220 - Not Served  
 2320 - Served By Mail  
 2420 - Served By Publication  
 SUMMONS

2121 - Served  
 2221 - Not Served  
 2321 - Served By Mail  
 2421 - Served By Publication  
 ALIAS - SUMMONS

CCG N001-10M-1-07-05 ( )

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 COUNTY DEPARTMENT, CHANCERY DIVISION**

(Name all parties)

Ira Holtzman, individually and as the representative of a class of similarly-situated persons,

v.

Michael P. Caplice d/b/a M. P. Caplice & Associates,

**SUMMONS**

To each Defendant:

**YOU ARE SUMMONED** and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Richard J. Daley Center, 50 W. Washington, Room <u>802</u> | , Chicago, Illinois 60602   |   |
| <input type="checkbox"/> District 2 - Skokie<br>5600 Old Orchard Rd.<br>Skokie, IL 60077       | <input type="checkbox"/> District 3 - Rolling Meadows<br>2121 Euclid<br>Rolling Meadows, IL 60008 | <input type="checkbox"/> District 4 - Maywood<br>1500 Maybrook Ave.<br>Maywood, IL 60153          |
| <input type="checkbox"/> District 5 - Bridgeview<br>10220 S. 76th Ave.<br>Bridgeview, IL 60455 | <input type="checkbox"/> District 6 - Markham<br>16501 S. Kedzie Pkwy.<br>Markham, IL 60426       | <input type="checkbox"/> Child Support<br>28 North Clark St., Room 200<br>Chicago, Illinois 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: 51306

WITNESS, \_\_\_\_\_, \_\_\_\_\_

Name: Brian J. Wanca @ANDERSON + WANCA**DOROTHY BROWN NOV 14 2007**

Atty. for: Plaintiff

Clerk of Court

Address: 3701 Algonquin Rd., Suite 760Date of service: \_\_\_\_\_  
 (To be inserted by officer on copy left with defendant  
 or other person)City/State/Zip: Rolling Meadows, IL 60008Telephone: (847) 368-1500

Service by Facsimile Transmission will be accepted at: \_\_\_\_\_

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

# Affidavit of Process Server

In the Circuit Court of Cook County, Illinois, County Department, Chancery Division

(NAME OF COURT)

<b>Ira Holtzman</b>	<b>vs Michael P. Caplice d/b/a M.P. Caplice and Associates</b>	<b>07 CH 33326</b>
<b>PLAINTIFF/PETITIONER</b>	<b>DEFENDANT/RESPONDENT</b>	<b>CASE NUMBER</b>

I Naomi Garcia, being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

**Service:** I served Defendant, Michael P. Caplice

NAME OF PERSON / ENTITY BEING SERVED

with (list documents) Summons, Class Action Complaint, Motion for Class Certification

by leaving with \_\_\_\_\_ At \_\_\_\_\_

Residence \_\_\_\_\_

Business 15 Spinning Wheel Rd., Suite 320, Hinsdale, Ill., 60521,  
 ADDRESS \_\_\_\_\_ CITY / STATE \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ CITY / STATE \_\_\_\_\_

On November 29, 2007 AT 12:00 p.m.

Thereafter copies of the documents were mailed by prepaid, first class mail on \_\_\_\_\_ DATE  
 from \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

**Manner of Service:**

**Personal:** By personally delivering copies to the person being served.

**Substituted at Residence:** By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of \_\_\_\_\_ and explaining the general nature of the papers.

**Substituted at Business:** By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.

**Posting:** By posting copies in a conspicuous manner to the front door of the person/entity being served.

**Non-Service:** After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

Unknown at Address     Moved, Left no Forwarding     Service Cancelled by Litigant     Unable to Serve in Timely Fashion  
 Address Does Not Exist     Other \_\_\_\_\_

**Service Attempts:** Service was attempted on: (1) \_\_\_\_\_ (2) \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

(3) \_\_\_\_\_ (4) \_\_\_\_\_ (5) \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_

**Description:** Age \_\_\_\_\_ Sex \_\_\_\_\_ Race \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Hair \_\_\_\_\_ Beard \_\_\_\_\_ Glasses \_\_\_\_\_

Naomi Garcia  
 SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 4th day of December, 2007

Judith L. Siano  
 SIGNATURE OF NOTARY PUBLIC  
 NOTARY PUBLIC for the state of Illinois

